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15 *Counsel for Amicus Curiae, State of Texas*

16 **IN THE UNITED STATES DISTRICT COURT**  
17 **FOR NORTHERN DISTRICT OF CALIFORNIA**  
18 **OAKLAND DIVISION**

19 **STATE OF CALIFORNIA, STATE OF**  
20 **COLORADO, STATE OF DELAWARE,**  
21 **COMMONWEALTH OF**  
22 **MASSACHUSETTS, STATE OF NEW**  
23 **JERSEY, STATE OF NEW MEXICO,**  
24 **STATE OF NEW YORK, STATE OF**  
25 **OREGON, STATE OF RHODE ISLAND,**  
26 **STATE OF VERMONT, and STATE OF**  
27 **WASHINGTON,**

28 Plaintiffs,

v.

**UNITED STATES OF AMERICA, U.S.**  
**ENVIRONMENTAL PROTECTION**  
**AGENCY, LEE ZELDIN, in his official**  
**capacity as Administrator of the U.S.**  
**Environmental Protection Agency, and**  
**DONALD J. TRUMP, in his official**  
**capacity as President of the United States,**

Defendants.

Case No.: 4:25-CV-04966-HSG

**STATE OF TEXAS'S MOTION FOR**  
**LEAVE TO PARTICIPATE AS**  
***AMICUS CURIAE***

Judge: Haywood S. Gilliam, Jr.  
Date: February 12, 2026  
Time: 2:00 p.m.  
Place: Courtroom 2 – 4th Floor

Complaint filed: June 12, 2025

1 **Ken Paxton**

Attorney General of Texas

2 **Brent Webster**

3 First Assistant Attorney General

4 **Ralph Molina**

5 Deputy First Assistant Attorney General

6 **Austin Kinghorn**

7 Deputy Attorney General for Civil Litigation

8 **Kellie E. Billings-Ray**

9 Chief, Environmental Protection Division

10 **Ian Lancaster\***

**Wesley S. Williams\***

11 **Steven Loomis\***

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18 *\* Pro hac vice application forthcoming*

19 ***Counsel for Amicus Curiae,, State of Texas***

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE:** on February 12, 2026, or as soon as the matter may be heard  
 3 be heard in the courtroom of the Honorable Haywood S. Gilliam, Jr. of the United States District  
 4 Court for the Northern District of California, located at 1301 Clay Street, Oakland, California 94612,  
 5 the State of Texas, by and through counsel, will and hereby does move for leave to join this case as  
 6 *amicus curiae* by joining the brief filed by the State of Iowa, ECF No. 176, in support of Defendants’  
 7 Motion to Dismiss. A proposed order is attached.

8 Pursuant to this Motion, proposed *amicus curiae* State of Texas (“Texas”), by and through  
 9 undersigned counsel, respectfully requests that this court deem the documents at ECF 176 amended  
 10 to reflect an additional signatory, Texas, for a total coalition size of 22 States. In support of this  
 11 request, Texas avers that:

- 12 • Texas’s Motion for Leave to Participate as *Amicus Curiae* is timely;
- 13 • Texas has a significant interest in this litigation;
- 14 • Texas’s support of the State of Iowa’s brief will emphasize to the court the distinct  
 15 and crucial interests of nonparty states that are at stake in this matter; and
- 16 • Texas has conferred with all parties regarding this Motion; Defendants, Plaintiffs,  
 17 and *amicus curiae* the State of Iowa (“Iowa”) have all consented to the filing of this  
 18 motion. Iowa agreed to Texas’s request to join its brief.

19 The State of Texas previously moved to intervene in the matter as a Defendant on August  
 20 22, 2025, ECF No. 86, which request this court denied on December 2, 2025, ECF No. 182.  
 21 Nonetheless, Texas continues to have a strong independent interest in the outcome of this litigation.  
 22 If reinstated, the effect of the waivers at the heart of this suit would not be limited to California, but,  
 23 instead, would effectively allow California to dictate national vehicle emission standards,  
 24 undermining the sovereignty of Texas and other States. This would impair Texas’s authority to  
 25 regulate within its own borders, inflict substantial economic harm on the state by threatening vital  
 26 oil and gas production revenue streams, increase costs for Texas’s vehicle fleet, harm vehicle  
 27 manufacturing activities in Texas and elsewhere, and diminish the economic well-being of Texas’s  
 28 citizens.

1 Defendants acted well within their authority in revoking the waivers that would have  
 2 permitted California to implement onerous regulations that would have distorted the national vehicle  
 3 market and caused harm in *every* State. Iowa, as *amicus curiae*, ably and correctly explains why  
 4 Defendants' Motion to Dismiss should be granted. Texas supports, and incorporates by reference  
 5 here, Iowa's brief, ECF No. 176. Defendants' Motion to Dismiss should be GRANTED and the case  
 6 dismissed.

7 Therefore, Texas respectfully requests leave to join Iowa's brief, ECF No. 176, as an  
 8 additional *amicus curiae*. Texas further requests that Iowa's brief at ECF No. 176 be amended to  
 9 reflect, as an additional signatory, Ken Paxton, Attorney General of Texas, on behalf of the State of  
 10 Texas.

11 An appropriate order is attached.

12 DATED: December 12, 2025

By: /s/ Brandon Q. Tran  
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